

REMARKS

At the outset, the Examiner is thanked for the thorough review and consideration of the pending application. The Office Action dated May 19, 2010, has been received and its contents carefully reviewed.

By this Amendment, claims 1, 10, and 12 have been amended. No new matter has been added. Thus, claims 1-3, 5-10, 12, and 14-19 remain pending in this application.

In the Office Action, claims 1-3, 6-10, and 12 are rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 5,403,616 to Hattori et al. (hereinafter “Hattori”) in combination with Japanese Patent Publication No. 08-031830 (hereinafter “830 JP Patent”) (a) alone or further in combination with U.S. Patent No. 6,730,358 to Yamuni et al (hereinafter “Yamuni”) (b) both (a) or (b) in combination with U.S. Patent No. 4,704,002 to Kikuchi et al. (hereinafter “Kikuchi”); Claim 5 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Hattori in combination with the 830 JP Patent (a) alone or further in combination with Yamuni (b) either or further in combination with Applicant’s admitted state of the art; and claims 14-19 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Hattori in combination with the 830 JP Patent (a) alone or (b) further in combination with Kikuchi further in combination with U.S. Patent No. 4,301,191 to Peek (hereinafter “Peek”). These rejections are respectfully traversed and reconsideration is requested.

Claim 1 is allowable at least in that this claim recites a combination of elements, including, for example, “moving away the master from the substrate to leave the resist on the substrate to form a resist pattern; and etching the etching layer using the resist pattern as a mask...” None of the cited references, singly or in combination, teaches or suggests at least this feature of the claimed invention. Accordingly, applicants respectfully submit that claim 1 and claims 2, 3, 5-9 and 14-15, which depend from claim 1, are allowable over the cited references.

As exemplified in Figs. 5A to 5C in the instant application, the resist pattern 322 is formed by moving away the master 330 from the substrate 320 having the etching layer 321 formed thereon, and the etching layer 321 having at least one stepped portion is etched using the resist pattern 322 as a mask. In other words, what is etched in the claimed invention is

the etching layer 321 that is exposed and not covered by the resist pattern 322. On page 3 of the Office Action, the Examiner appears to cite Hattori as teaching “physically removing the masking pattern by ultrasonic cleaning or gas jet of air (col. 4, lines 28-40).” In contrast with the claimed invention, what is being removed in Hattori is the masking pattern 5, along with the transparent conducting film on the masking pattern 5. See Hattori at Col. 7, lines 22-41; Figs. 2D and 2E. Thus, Hattori fails to disclose the aforementioned features of the claimed invention. In fact, none of the cited references discloses etching the etching layer having at least one stepped portion using a resist pattern as a mask, the resist pattern being formed by a micro contact printing method as recited in the claimed invention.

Claim 10 is allowable at least in that this claim recites a combination of elements, including, for example, “forming a resist pattern on the etching layer by separating the master from the substrate; and etching the etching layer using the resist pattern as a mask...” None of the cited references, singly or in combination, teaches or suggests at least this feature of the claimed invention. For similar reasons as discussed with respect to claim 1, claim 10 and claims 16 and 17, which depend from claim 10, are allowable over the cited references.

Claim 12 is allowable at least in that this claim recites a combination of elements, including, for example, “forming a resist pattern on the etching layer by separating the master from the substrate; and etching the etching layer using the resist pattern as a mask...” None of the cited references, singly or in combination, teaches or suggests at least this feature of the claimed invention. For similar reasons as discussed with respect to claim 1, claim 12 and claims 18 and 19, which depend from claim 12, are allowable over the cited references.

Applicants believe the application is in condition for allowance and early, favorable action is respectfully solicited. If for any reason the Examiner finds the application other than in condition for allowance, the Examiner is requested to call the undersigned attorney at (202) 496-7500 to discuss the steps necessary for placing the application in condition for allowance. All correspondence should continue to be sent to the below-listed address.

If these papers are not considered timely filed by the Patent and Trademark Office, then a petition is hereby made under 37 C.F.R. §1.136, and any additional fees required under 37 C.F.R. §1.136 for any necessary extension of time, or any other fees required to complete

the filing of this response, may be charged to Deposit Account No. 50-0911. Please credit any overpayment to deposit Account No. 50-0911.

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Respectfully submitted,

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